

(Amending)
(Extract of Minutes and Summary included)
Intended effective date: 15 September 1999.

Dorothy W. Walker,
Federal Register Liaison.
[FR Doc. 99-20415 Filed 8-6-99; 8:45 am]
BILLING CODE 4910-62-P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q During the Week Ending July 30, 1999

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 *et. seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: OST-99-6026.

Date Filed: July 27, 1999.

Due Date for Answers, Conforming Applications, or Motions To Modify Scope: August 24, 1999.

Description: Application of Avialeasing Aviation Company pursuant to 49 U.S.C. 41302 and Subpart Q, applies for a foreign air carrier permit to engage in all-cargo charter service between the Republic of Uzbekistan and the United States.

Docket Number: OST-99-6033.

Date Filed: July 28, 1999.

Due Date for Answers, Conforming Applications, or Motions To Modify Scope: August 25, 1999.

Description: Application of MK Airlines Limited ("MK Ghana") pursuant to 49 U.S.C. Section 41302 and Subpart Q, applies for a foreign air carrier permit authorizing it to engage in scheduled foreign air transportation of property and mail between a point or points in Ghana and a point or points in the United States. MK Ghana also requests authority to conduct Fifth Freedom cargo charter flights between

the United States and points in third countries.

Dorothy W. Walker,
Federal Register Liaison.
[FR Doc. 99-20416 Filed 8-6-99; 8:45 am]
BILLING CODE 4910-62-P

DEPARTMENT OF TRANSPORTATION

Amtrak Reform Council; Meeting

AGENCY: Amtrak Reform Council.
ACTION: Notice of Business Meeting.

SUMMARY: As provided in section 203 of the Amtrak Reform and Accountability Act of 1997, the Amtrak Reform Council (ARC) gives notice of a business meeting of the Council. At its business meeting the Council will consider its FY2001 Budget Request, a review of recent OIG and GAO financial reports on Amtrak, and a briefing on Amtrak's Mail and Express Business Plan. The meeting will also consider matters raised by individual Council members. Portions of the meeting may be held in closed Executive Session if the Council is considering issues involving Proprietary Information.

DATES: The Council's business meeting is scheduled from 9 a.m. to 11:30 a.m. on Tuesday, August 31, 1999.

ADDRESSES: The meeting will be held in the Port of Seattle Commission Chambers, 2711 Alaskan Way, Seattle, WA 98121. Persons in need of special arrangements should contact the person listed below.

FOR FURTHER INFORMATION CONTACT: Deirdre O'Sullivan, Amtrak Reform Council, Room 7105, JM-ARC, 400 Seventh Street, SW, Washington, DC 20590, or by telephone at (202) 366-0591; FAX: 202-493-2061.

SUPPLEMENTARY INFORMATION:

The ARC was created by the Amtrak Reform and Accountability Act of 1997 (ARAA), as an independent commission, to evaluate Amtrak's performance and to make recommendations to Amtrak for achieving further cost containment, productivity improvements, and financial reforms. In addition, the ARAA requires that the ARC monitor cost savings resulting from work rules established under new agreements between Amtrak and its labor unions; that the ARC provide an annual report to Congress that includes an assessment of Amtrak's progress on the resolution of productivity issues; and that after two years the ARC has the authority to determine whether Amtrak can meet certain financial goals specified under the ARAA and, if not, to notify the President and the Congress.

The ARAA provides that the ARC consist of eleven members, including the Secretary of Transportation and ten others nominated by the President and Congressional leaders. Each member is to serve a five year term.

Issued in Washington, DC, August 2, 1999.
Thomas A. Till,
Executive Director.
[FR Doc. 99-20374 Filed 8-6-99; 8:45 am]
BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Index of Administrator's Decisions and Orders in Civil Penalty Actions; Publication

AGENCY: Federal Aviation Administration (FAA), DOT.
ACTION: Notice of publication.

SUMMARY: This notice constitutes the required quarterly publication of an index of the Administrator's decisions and orders in civil penalty cases. This publication represents the quarter ending on June 30, 1999. This publication ensures that the agency is in compliance with statutory indexing requirements.

FOR FURTHER INFORMATION CONTACT: James S. Dillman, Assistant Chief Counsel for Litigation (AGC-400), Federal Aviation Administration, 400 7th Street, SW., Suite PL 200-A, Washington, DC 20590; telephone (202) 366-4118.

SUPPLEMENTARY INFORMATION: The Administrative Procedure Act requires Federal agencies to maintain and make available for public inspection and copying current indexes containing identifying information regarding materials required to be made available or published. 5 U.S.C. 552(a)(2). In a notice issued on July 11, 1990, and published in the **Federal Register** (55 FR 29148; July 17, 1990), the FAA announced the public availability of several indexes and summaries that provide identifying information about the decisions and orders issued by the Administrator under the FAA's civil penalty assessment authority and the rules of practice governing hearings and appeals of civil penalty actions. 14 CFR Part 13, Subpart G.

The FAA maintains an index of the Administrator's decisions and orders in civil penalty actions organized by order number and containing identifying information about each decision or order. The FAA also maintains a cumulative subject-matter index and digests organized by order number.

The indexes are published on a quarterly basis (*i.e.*, January, April, July, and October). This publication represents the quarter ending on March 31, 1999.

The FAA first published these indexes and digests for all decisions and orders issued by the Administrator through September 30, 1990. 55 FR 45984; October 31, 1990. The FAA announced in that notice that only the subject-matter index would be published cumulatively and that the order number index would be non-cumulative. The FAA announced in a later notice that the order number indexes published in January would reflect all of the civil penalty decisions for the previous year. 58 FR 5044; 1/19/93.

The previous quarterly publications of these indexes have appeared in the **Federal Register** as follows:

Dates of quarter	Federal Register Publication
11/1/89–9/30/90	55 FR 45984; 10/31/90
10/1/90–12/31/90 ..	56 FR 44886; 2/6/91
1/1/91–3/31/91	56 FR 20250; 5/2/91
4/1/91–3/31/91	56 FR 31984; 7/12/91
7/1/91–9/30/91	56 FR 51735; 10/15/91

Dates of quarter	Federal Register Publication
10/1/91–12/31/91 ..	57 FR 2299; 1/21/92
1/1/92–3/31/92	57 FR 12359; 4/9/92
4/1/92–6/30/92	57 FR 32825; 7/23/92
7/1/92–9/30/92	57 FR 48255; 10/22/92
10/1/92–12/31/92 ..	58 FR 5044; 1/19/93
1/1/93–3/31/93	58 FR 21199; 4/19/93
4/1/93–6/30/93	58 FR 42120; 8/6/93
7/1/93–9/30/93	58 FR 58218; 10/29/93
10/1/93–12/31/93 ..	58 FR 5466; 2/4/94
1/1/94–3/31/94	59 FR 22196; 4/29/94
4/1/94–6/30/94	59 FR 39618; 8/3/94
7/1/94–9/30/94	60 FR 4454; 1/23/95
1/1/95–3/31/95	60 FR 19318; 4/17/95
4/1/95–6/30/95	60 FR 36854; 7/17/95
7/1/95–9/30/95	60 FR 53228; 10/12/95
10/1/95–12/31/95 ..	61 FR 1972; 1/24/96
1/1/96–3/31/96	61 FR 16955; 4/18/96
4/1/96–6/30/96	61 FR 37526; 7/18/96
7/1/96–9/30/96	61 FR 54833; 10/22/96
10/1/96–12/31/96 ..	62 FR 2434; 1/16/97
1/1/97–3/31/97	62 FR 24533; 5/2/97
4/1/97–6/30/97	62 FR 38339; 7/17/97
7/1/97–9/30/97	62 FR 53856; 10/16/97
10/1/97–12/31/97 ..	63 FR 3373; 1/22/98
1/1/98–3/31/98	63 FR 19559; 4/20/98
4/1/98–6/30/98	63 FR 37914; 7/14/98
7/1/98–9/30/98	63 FR 57729; 10/28/98
10/1/98–12/31/98 ..	64 FR 1855; 1/12/99
1/1/99–3/31/99	64 FR 24690; 5/7/99

The civil penalty decisions and orders, and the indexes and digests are

available in FAA offices. In addition, the Administrator's civil penalty decisions have been published by commercial publishers (Hawkins Publishing Company and Clark Boardman Callaghan) and are available on computer on-line services (Westlaw, LEXIS, Compuserve and FedWorld). (A list of the addresses of the FAA offices where the civil penalty decisions may be reviewed and information regarding these commercial publications and computer databases are provided at the end of this notice.)

Information regarding the accessibility of materials filed in recently initiated civil penalty cases in FAA civil penalty cases at the DOT Docket and over the Internet is also set forth at the end of this notice.

Civil Penalty Actions—Orders Issued by the Administrator

Order Number Index

(This index includes all decisions and orders issued by the Administrator from April 1, 1999, to June 30, 1999).

99–3—Clarence L. Justice

6/11/99—CP98WP0055, DMS No. FAA–1998–4751

Civil Penalty Actions—Orders Issued by the Administrator

Subject Matter Index

(Current as of June 30, 1999.)

Administrative Law Judges—Power and Authority:

Continuance of hearing	91–11 Continental Airlines; 92–29 Haggland.
Credibility findings	90–21 Carroll; 92–3 Park; 93–17 Metcalf; 94–3 Valley Air; 94–4 Northwest Aircraft Rental; 95–25 Conquest; 95–26 Hereth; 97–20 Werle; 97–30 Emery Worldwide Airlines; 97–32 Florida Propeller; 98–18 General Aviation.
Default Judgment	91–11 Continental Airlines; 92–47 Cornwall; 94–8 Nunez; 94–22 Harkins; 94–28 Toyota; 95–10 Diamond; 97–28 Continental Airlines; 97–33 Rawlings; 98–13 Air St. Thomas.
Discovery	89–6 American Airlines; 91–17 KDS Aviation; 91–54 Alaska Airlines; 92–46 Sutton-Sautter; 93–10 Costello.
Expert Testimony	94–21 Sweeney.
Granting extensions of time	90–27 Gabbert.
Hearing location	92–50 Cullop.
Hearing request	93–12 Langton; 94–6 Strohl; 94–27 Larsen; 94–37 Houston; 95–19 Rayner.
Initial Decision	92–1 Costello; 92–32 Barnhill.
Latency of	97–31 Sanford Air.
Should include requirement to file appeal brief in decision	98–5 Squire.
Jurisdiction:	
Generally	90–20 Degenhardt; 90–33 Cato; 92–1 Costello; 92–32 Barnhill.
After issuance of order assessing civil penalty	94–37 Houston; 95–19 Rayner; 97–33 Rawlings.
When complaint is withdrawn	94–39 Kirola.
Motion for Decision	92–73 Wyatt; 92–75 Beck; 92–76 Safety Equipment; 93–11 Merkley; 96–24 Horizon; 98–20 Koenig.
No authority to extend due date for late Answer without showing of good cause. (See also Answer).	95–28 Atlantic World Airways; 97–18 Robinson; 98–4 Larry's Flying Service.
Notice of Hearing	92–31 Eaddy.
Regulate proceedings	97–20 Werle.
Sanction	90–37 Northwest Airlines; 91–54 Alaska Airlines; 94–22 Harkins; 94–28 Toyota.
Service of law judges by parties	97–18 Robinson.
Vacate initial decision	90–20 Degenhardt; 92–32 Barnhill; 95–6 Sutton.
Aerial Photography	95–25 Conquest Helicopters.
Agency Attorney	93–13 Medel.

Air Carrier:

Agent/independent contractor of	92-70 USAir.
Careless or Reckless	92-48 & 92-70 USAir; 93-18 Westair Commuter.
Duty of care Non-delegable	92-70 USAir; 96-16 Westair Commuter; 96-24 Horizon; 97-8 Pacific Av. d/b/a/ Inter-Island Helicopters.
Employee	93-18 Westair Commuter; 97-8 Pacific Av. d/b/a Inter-Island Helicopter.
Ground Security Coordinator, Failure to provide	96-16 WestAir Commuter.
Intoxicated Passenger:	
Allowing to board	98-11 TWA.
Serving alcohol to	98-11 TWA.
Liability for acts/omissions of employees in the scope of employment.	98-11 TWA.

Aircraft Maintenance (See also Airworthiness, Maintenance Manual):

Generally	90-11 Thunderbird Accessories; 91-8 Watts Agricultural Aviation; 93-36 & 94-3 Valley Air; 94-38 Bohan; 95-11 Horizon; 96-3 America West Airlines; 97-8 Pacific Av. d/b/a/ Inter-Island Helicopters; 97-9 Alphin; 97-10 Alphin; 97-11 Hampton; 97-30 Emery Worldwide Airlines; 97-31 Sanford Air; 98-18 General Aviation.
Acceptable methods, techniques, and practices	96-3 America West Airlines.
After certificate revocation	92-73 Wyatt.
Airworthiness Directive compliance with	96-18 Kilrain; 97-9 Alphin.
Inspection	96-18 Kilrain; 97-10 Alphin.
Najor/minor repairs	96-3 American West Airlines.
Minimum Equipment List (MEL)	94-38 Bohan; 95-11 Horizon; 97-11 Hampton; 97-21 Delta; 97-30 Emery Worldwide Airlines.

Aircraft Records:

Aircraft Operation	91-8 Watts Agricultural Aviation.
Flight and Duty Time	96-4 South Aero.
Maintenance Records	91-8 Watts Agricultural Aviation; 94-2 Woodhouse; 97-30 Emery Worldwide Airlines; 97-31 Sanford Air; 98-18 General Aviation.
“Yellow tags”	91-8 Watts Agricultural Aviation.

Aircraft-Weight and Balance (See Weight and Balance):

Airmen:

Pilots	91-12 & 91-31 Terry & Menne; 92-8 Watkins; 92-49 Richardson & Shimp; 93-17 Metcalf.
Altitude deviation	92-49 Richardson & Shimp.
Careless or Reckless	91-12 & 91-31 Terry & Menne; 92-8 Watkins; 92-49 Richardson & Shimp; 92-47 Cornwell; 93-17 Metcalf; 93-29 Sweeney; 96-17 Fenner.
Flight time limitations	93-11 Merkley.
Follow ATC Instruction	91-12 & 91-31 Terry & Menne; 92-8 Watkins; 92-49 Richardson & Shimp.
Low Flight	92-47 Cornwell; 93-17 Metcalf.
Owner's responsibility	96-17 Fenner.
See and Avoid	93-29 Sweeney.

Air Operations Area (AOA):

Air Carrier Responsibilities	90-19 Continental Airlines; 91-33 Delta Air Lines; 94-1 Delta Air Lines.
Airport Operator Responsibilities	90-19 Continental Airlines; 91-4 [Airport Operator]; 91-18 [Airport Operator]; 91-40 [Airport Operator]; 91-41 [Airport Operator]; 91-58 [Airport Operator]; 96-1 [Airport Operator]; 98-7 LAX.
Badge Display	91-4 [Airport Operator]; 91-33 Delta Air Lines; 99-1 American Airlines.
Definition of	90-19 Continental Airlines; 91-4 [Airport Operator]; 91-58 [Airport Operator].
Exclusive Areas	90-19 Continental Airlines; 91-4 [Airport Operator]; 91-58 [Airport Operator]; 98-7 LAX.

Airport Security Program (ASP):

Compliance with	91-4 [Airport Operator]; 91-18 [Airport Operator]; 91-40 [Airport Operator]; 91-41 [Airport Operator]; 91-58 [Airport Operator]; 94-1 Delta Air Lines; 96-1 [Airport Operator]; 97-23 Detroit Metropolitan; 98-7 LAX; Airport Operator.
Responsibilities	90-12 Continental Airlines; 91-4 [Airport Operator]; 91-18 [Airport Operator]; 91-40 [Airport Operator]; 91-41 [Airport Operator]; 91-58 [Airport Operator]; 96-1 [Airport Operator]; 97-23 Detroit Metropolitan.

Air Traffic Control (ATC):

Error as mitigating factor	91-12 & 91-31 Terry & Menne.
Error as exonerating factor	91-12 & 91-31 Terry & Menne; 92-40 Wendt.
Ground Control	91-12 Terry & Menne; 93-18 Westair Commuter.
Local Control	91-12 Terry & Menne.
Tapes & Transcripts	91-12 Terry & Menne; 92-49 Richardson & Shimp.

Airworthiness	91-8 Watts Agricultural Aviation; 92-10 Flight Unlimited; 92-48 & 92-70 USAir; 94-2 Woodhouse; 95-11 Horizon; 96-3 America West Airlines; 96-18 Kilrain; 94-25 USAir; 97-8 Pacific Av. d/b/a Inter-Island Helicopters; 97-9 Alphin; 97-10 Alphin; 97-11 Hampton; 97-21 Delta; 97-30 Emery Worldwide Airlines; 97-32 Florida Propeller; 98-18 General Aviation.
Amicus Curiae Briefs	90-25 Gabbert.
Answer:	
ALJ may not extend due date for late Answer unless good cause shown.	95-28 Atlantic World Airways; 97-18 Robinson; 97-33 Rawlings; 98-4 Larry's Flying Service.
Reply to each numbered paragraph in the complaint required	98-21 Blankson.
Timeliness of answer	90-3 Metz; 90-15 Playter; 92-32 Barnhill; 92-47 Cornwall; 92-75 Beck; 92-76 Safety Equipment; 94-5 Grant; 94-29 Sutton; 94-30 Columna; 94-43 Perez; 95-10 Diamond; 95-28 Atlantic World Airways; 97-18 Robinson; 97-19 Missirlian; 97-33 Rawlings; 97-38 Air St. Thomas; 98-4 Larry's Flying Service; 98-13 Air St. Thomas.
What constitutes	92-32 Barnhill; 92-75 Beck; 97-19 Missirlian.
Appeals (See also Filing; Timeliness; Mailing Rule):	
Briefs, Generally	89-4 Metz; 91-45 Park; 92-17 Giuffrida; 92-19 Cornwall; 92-39 Beck; 93-24 Steel City Aviation; 93-28 Strohl; 94-23 Perez; 95-13 Kilrain.
Additional Appeal Brief	92-3 Park; 93-5 Wendt; 93-6 Westair Commuter; 93-28 Strohl; 94-4 Northwest Aircraft; 94-18 Luxemburg; 94-29 Sutton; 97-22 Sanford Air; 97-34 Continental Airlines; 97-38 Air St. Thomas; 98-18 General Aviation.
Appeal dismissed as premature	95-19 Rayner.
Appeal dismissed as moot after complaint withdrawn	92-9 Griffin.
Appellate arguments	92-70 USAir.
Court of Appeals, appeal to (See Federal Courts) Good Cause for Late-Filed Brief or Notice of Appeal.	90-3 Metz; 90-27 Gabbert; 90-39 Hart; 91-10 Graham; 91-24 Esau; 91-48 Wendt; 91-50 & 92-1 Costello; 92-3 Park; 92-17 Giuffrida; 92-39 Beck; 92-41 Moore & Sabre Associates; 92-52 Beck; 92-57 Detroit Metro Wayne Co. Airport; 92-69 McCabe; 93-23 Allen; 93-27 Simmons; 93-31 Allen; 95-2 Meronek; 95-9 Woodhouse; 95-25 Conquest; 97-28 Continental; 97-38 Air St. Thomas; 98-1 V. Taylor; 98-13 Air St. Thomas.
Motion to Vacate construed as a brief	91-11 Continental Airlines.
Perfecting an Appeal, generally	92-17 Giuffrida; 91-19 Cornwall; 92-39 Beck; 94-23 Perez; 95-13 Kilrain; 96-5 Alphin Aircraft; 98-20 Koenig.
Extension of Time for (good cause for)	89-8 Thunderbird Accessories; 91-26 Britt Airways; 91-32 Bargaen; 91-50 Costello; 93-2 & 93-3 Wendt; 93-24 Steel City Aviation; 93-32 Nunez; 98-5 Squire; 98-15 Squire; 99-3 Justice.
Failure to	89-1 Gressani; 89-7 Zenkner; 90-11 Thunderbird Accessories; 90-35 P. Adams; 90-39 Hart; 91-7 Pardue; 91-10 Graham; 91-20 Bargaen; 91-43, 91-44, 91-46 & 91-47 Delta Air Lines; 92-11 Alilin; 92-15 Dillman; 92-18 Bargaen; 92-34 Carrell; 92-35 Bay Land Aviation; 92-36 Southwest Airlines; 92-45 O'Brien; 92-56 Montauk Caribbean Airways; 92-67 USAir; 92-68 Weintraub; 92-78 TWA; 93-7 Dunn; 93-8 Nunez; 93-20 Smith; 93-23 & 93-31 Allen; 93-34 Castle Aviation; 93-35 Steel City Aviation; 94-12 Bartusiak; 94-24 Page; 94-26 French Aircraft; 94-34 American International Airways; 94-35 American International Airways; 94-36 American International Airways; 95-4 Hanson; 95-22 7 96-5 Alphin Aircraft; 96-2 Skydiving Center; 96-13 Winslow; 97-3 [Airport Operator], 97-6 WRA, Inc.' 97-15 Houston & Johnson County; 97-35 Gordon Air Services; 97-36 Avcon; 97-37 Roush; 98-10 Rawlings; 99-2 Oxygen Systems.
Notice of appeal construed as appeal brief	92-39 Beck; 94-15 Columna; 95-9 Woodhouse; 95-23 Atlantic World Airways; 96-20 Missirlian; 97-2 Sanford Air; 98-5 Squire; 98-17 Blue Ridge Airlines; 98-23 Instead Balloon Services; 99-3 Justice.
What Constitutes	90-4 Metz; 90-27 Gabbert; 91-45 Park; 92-7 West; 92-17 Giuffrida; 92-39 Beck; 93-7 Dunn; 94-15 Columna; 94-23 Perez; 94-30 Columna; 95-9 Woodhouse; 95-23 Atlantic World Airways; 96-20 Missirlian; 97-2 Sanford Air.
Service of brief:	
Failure to serve other party	92-17 Giuffrida; 92-19 Cornwall.
Timeliness of Notice of Appeal	90-3 Metz; 90-39 Hart; 91-50 Costello; 92-7 West; 92-609 McCabe; 93-27 Simmons; 95-2 Meronek; 95-9 Woodhouse; 95-15 Alphin Aviation; 96-14 Midtown Neon Sign Corp.; 97-7 & 97-17 Stallings; 97-28 Continental; 97-38 Air St. Thomas; 98-1 V. Taylor; 98-13 Air St. Thomas; 98-16 Blue Ridge Airlines; 98-17 Blue Ridge Airlines; 98-21 Blankson.

Withdrawal of	89-2 Lincoln-Walker; 89-3 Sittko; 90-4 Nordrom; 90-5 Sussman; 90-6 Dabaghian; 90-7 Steele; 90-8 Jenkins; 90-9 Van Zandt; 90-13 O'Dell; 90-14 Miller; 90-28 Puleo; 90-29 Sealander; 90-39 Steidinger; 90-34 D. Adams; 90-40 & 90-41 Westair Commuter Airlines; 91-1 Nestor; 91-5 Jones; 91-6 Lowery; 91-13 Kreamer; 91-14 Swanton; 91-15 Knipe; 91-16 Lopez; 91-19 Bayer; 91-21 Britt Airways; 91-22 Omega Silicone Co.; 91-23 Continental Airlines; 91-25 Sanders; 91-27 Delta Air Lines; 91-28 Continental Airlines; 91-29 Smith; 91-34 GASPRO; 91-35 M. Graham; 91-36 Howard; 91-37 Vereen; 91-39 America West; 91-42 Pony Express; 91-49 Shields; 91-56 Mayhan; 91-57 Britt Airways; 91-59 Griffin; 91-60 Brinton; 92-2 Koller; 92-4 Delta Air Lines; 92-6 Rothgeb; 92-12 Bertetto; 92-20 Delta Air Lines; 92-21 Cronberg; 92-22, 92-23, 92-24, 92-25, 92-26 & 92-28 Delta Air Lines; 92-33 Port Authority of NY & NJ; 92-42 Jayson; 92-43 Delta Air Lines; 92-44 Owens; 92-53 Humble; 92-54 & 92-55 Northwest Airlines; 92-60 Costello; 92-61 Romerdahl; 92-62 USAir; 92-63 Schaefer; 92-64 & 92-65 Delta Air Lines; 92-66 Sabre Associates & Moore; 92-79 Delta Air Lines; 93-1 Powell & Co.; 93-4 Harrah; 93-14 Fenske; 93-15 Brown; 93-21 Delta Air Lines; 93-22 Yannotone; 93-26 Delta Air Lines; 93-33 HPH Aviation; 94-9 B & G Instruments; 94-10 Boyle; 94-11 Pan American Airways; 94-13 Boyle; 94-14 B & G Instruments; 94-16 Ford; 94-33 Trans World Airlines; 94-41 Dewey Towner; 94-42 Taylor; 95-1 Diamond Aviation; 94-3 Delta Air Lines; 95-5 Araya; 95-6 Sutton; 95-7 Empire Airlines; 95-20 USAir; 95-21 Faisca; 94-24 Delta Air Lines; 96-7 Delta Air Lines; 96-8 Empire Airlines; 96-10 USAir; 96-11 USAir; 96-12 USAir; 96-21 Houseal; 97-4 [Airport Operator]; 97-5 WestAir; 97-25 Martin & Jaworski; 97-26 Delta Air Lines; 97-27 Lock Haven; 97-39 Delta Air Lines; 98-9 Continental Express.
Assault (See also Battery, and Passenger Misconduct)	96-6 Ignatov; 97-12 Mayer.
"Attempt"	89-5 Schultz.
Attorney Conduct Obstreperous or Disruptive	94-39 Kirola.
Attorney Fees (See EAJA)	
Aviation Safety Reporting System	90-39 Hart; 91-12 Terry & Menne; 92-49 Richardson & Shimp.
Baggage Matching	98-6 Continental.
Balloon (Hot Air)	94-2 Woodhouse.
Bankruptcy	91-2 Continental Airlines.
Battery (See also Assault and Passenger Misconduct)	96-6 Ignatov; 97-12 Mayer.
Certificates and Authorizations: Surrender when revoked	92-73 Wyatt.
Civil Air Security National Airport Inspection Program (CASNAIP) ..	91-4 [Airport Operator]; 91-18 [Airport Operator]; 91-40 [Airport Operator]; 91-41 [Airport Operator]; 91-58 [Airport Operator].
Civil Penalty Amount (See Sanction):	
Closing Argument (See Final Oral Argument):	
Collateral Estoppel	91-8 Watts Agricultural Aviation.
Complaint:	
Complainant Bound By	90-10 Webb; 91-53 Koller.
No Timely Answer to (See Answer):	
Partial Dismissal/Full Sanction	94-19 Pony Express; 94-40 Polynesian Airways.
Stalenes (See Stale Complaint Rule):	
Statute of Limitations (See Statute of Limitations)	
Timeliness of complaint	91-51 Hagwood; 93-13 Medel; 94-7 Hereth; 94-5 Grant.
Withdrawal of	94-39 Kirola; 95-6 Sutton.
Compliance & Enforcement Program:	
(FAA Order No. 2150.3A)	89-5 Schulz; 89-6 American Airlines; 91-38 Esau; 92-5 Delta Air Lines.
Compliance/Enforcement Bulletin 92-3	96-19 [Air Carrier].
Sanction Guidance Table	89-5 Schultz; 90-23 Broyles; 90-33 Cato; 90-37 Northwest Airlines; 91-3 Lewis; 92-5 Delta Air Lines; 98-18 General Aviation.
Concealment of Weapons (See Weapons Violations):	
Consolidation of Cases	90-12, 90-18 & 90-19 Continental Airlines.
Constitutionality of Regulations (See also Double Jeopardy)	90-12 Continental Airlines; 90-18 Continental Airlines; 90-19 Continental Airlines; 90-37 Northwest Airlines; 96-1 [Airport Operator]; 96-25 USAir; 97-16 Mauna Kea; 97-34 Continental Airlines; 98-6 Continental Airlines; 98-11 TWA; 99-1 American.
Continuance of Hearing	90-25 Gabbert; 92-29 Haggland.
Corrective Act (See Sanction):	
Counsel:	
Leave to withdraw	97-24 Gordon.
No right to assigned counsel (See Due Process)	
Credibility of Witnesses:	
Generally	95-25 Conquest Helicopters; 95-26 Hereth; 97-32 Florida Propeller.
Bias	97-9 Alphin.

Defer to ALJ determination of	90-21 Carroll; 92-3 Park; 93-17 Metcalf; 95-26 Hereth; 97-20 Werle; 97-30 Emery Worldwide Airlines; 97-32 Florida Propeller; 98-11 TWA; 98-18 General Aviation.
Experts	(See also Witness) 90-27 Gabbert; 93-17 Metcalf; 96-3 America West Airlines.
Impeachment	94-4 Northwest Aircraft Rental.
Reliability of Identification by eyewitnesses	97-20 Werle.
De facto answer	92-32 Barnhill.
Delay in initiating action	90-21 Carroll.
Deliberative Process Privilege	89-6 American Airlines; 90-12, 90-18 & 90-19 Continental Airlines.
Deterrence	89-5 Schultz; 92-10 Flight Unlimited; 95-16 Mulhall; 95-17 Larry's Flying Service; 97-11 Hampton.
Discovery:	
Deliberative Process Privilege	89-6 American Airlines; 90-12, 90-18 & 90-19 Continental Airlines.
Depositions, generally	91-54 Alaska Airlines.
Notice of deposition	91-54 Alaska Airlines.
Failure to Produce	90-18 & 90-19 Continental Airlines; 91-17 KDS Aviation; 93-10 Costello.
Sanction for	91-17 KDS Aviation; 91-54 Alaska Airlines.
Regarding Unrelated Case	92-46 Sutton-Sautter
Double Jeopardy	95-8 Charter Airlines; 96-26 Midtown.
Due Process:	
Generally	89-6 American Airlines; 90-12 Continental Airlines; 90-37 Northwest Airlines; 96-1 [Airport Operator]; 97-8 Pacific Av. d/b/a Inter-Island Helicopters.
Before finding a violation	90-27 Gabbert.
Multiple violations	96-26 Midtown; 97-9 Alphin.
No right to assigned counsel	97-8 Pacific Av. d/b/a Inter-Island Helicopters; 97-9 Alphin.
Violation of	89-6 American Airlines; 90-12 Continental Airlines; 90-37 Northwest Airlines; 96-1 [Airport Operator]; 97-8 Pacific Av. d/b/a Inter-Island Helicopters; 98-19 Martin & Jaworski.
EAJA:	
Adversary Adjudication	90-17 Wilson; 91-17 & 91-52 KDS Aviation; 94-17 TCI; 95-12 Toyota.
Amount of award	95-27 Valley Air.
Appeal from ALJ decision	95-9 Woodhouse.
Expert witness fees	95-27 Valley Air.
Final disposition	96-22 Woodhouse.
Further proceedings	91-52 JKDS Aviation.
Jurisdiction over appeal	92-74 Wendt; 96-22 Woodhouse.
Late-filed application	96-22 Woodhouse.
Other expenses	93-29 Sweeney.
Position of agency	95-27 Valley Air.
Prevailing party	91-52 KDS Aviation.
Special circumstances	95-18 Pacific Sky.
Substantial justification	91-52 & 92-71 KDS Aviation; 93-9 Wendt; 95-18 Pacific Sky; 95-27 Valley Air; 96-15 Valley Air; 98-19 Martin & Jaworski.
Supplementation of application	95-27 Valley Air.
Evidence (See Proof & Evidence)	
Ex Parte Communications	93-10 Costello; 95-16 Mulhall; 95-19 Rayner.
Expert Witnesses (See Witness)	
Extension of Time:	
By Agreement of Parties	89-6 American Airlines; 92-41 Moore & Sabre Associates.
Dismissal by Decisionmaker	89-7 Zenkner; 90-39 Hart.
Good Cause for	89-8 Thunderbird Accessories.
Objection to	89-8 Thunderbird Accessories; 93-3 Wendt.
Who may grant	90-27 Gabbert.
Federal Courts	92-7 West; 97-1 Midtown Neon Sign; 98-8 Carr.
Federal Rules of Civil Procedure	91-17 KDS Aviation.
Federal Rules of Evidence (See also Proof & Evidence):	
Admissions	96-25 USAir.
Settlement Offers	95-16 Mulhall; 96-25 USAir.
Subsequent Remedial Measures	96-24 Horizon; 96-25 USAir.
Final Oral Argument	92-3 Park.
Firearms (See Weapons)	
Ferry Flights	95-8 Charter Airlines.
Filing (See also Appeals; Timeliness):	
Burden to prove date of filing	97-11 Hampton Air; 98-1 V. Taylor.
Discrepancy between certificate of service and postmark	98-16 Blue Ridge Airlines.
Service on designated representative	98-19 Martin & Jaworski.
Flight & Duty Time:	
Circumstances beyond crew's control:	
Generally	95-8 Charter Airlines.
Foreseeability	95-8 Charter Airlines.

Late freight	95-8 Charter Airlines.
Weather	95-8 Charter Airlines.
Competency check flights	96-4 South Aero.
Limitation of Duty Time	95-8 Charter Airlines; 96-4 South Aero.
Limitation of Flight Time	95-8 Charter Airlines.
"Other commercial flying"	95-8 Charter Airlines.
Flights	94-20 Conquest Helicopters.
Freedom of Information Act	93-10 Costello.
Fuel Exhaustion	95-26 Hereth.
Guns (See Weapons)	
Ground Security Coordinator (See also Air Carrier; Standard Security Program):	
Failure to provide	96-16 WestAir Commuter.
Hazardous Materials:	
Transportation of, generally	90-37 Northwest Airlines; 92-76 Safety Equipment; 92-77 TCI; 94-19 Pony Express; 94-28 Toyota; 94-31 Smalling; 95-12 Toyota; 95-16 Mulhall; 96-26 Midtown.
Civil Penalty, generally	92-77 TCI; 94-28 Toyota; 94-31 Smalling; 95-16 Mulhall; 96-26 Midtown; 98-2 Carr.
Corrective Action	92-77 TCI; 94-28 Toyota.
Culpability	92-77 TCI; 94-28 Toyota; 94-31 Smalling.
Financial hardship	95-16 Mulhall.
Installment plan	95-16 Mulhall.
First-time violation	92-77 TCI; 94-28 Toyota; 94-31 Smalling.
Gravity of violation	92-77 TCI; 94-28 Toyota; 94-31 Smalling; 96-26 Midtown; 98-2 Carr.
Minimum penalty	95-16 Mulhall; 98-2 Carr.
Number of violations	95-16 Mulhall; 96-26 Midtown Neon Sign; 98-2 Carr.
Redundant violations	95-16 Mulhall; 96-26 Midtown Neon Sign; 98-2 Carr.
Criminal Penalty	92-77 TCI; 94-31 Smalling.
EAJA, applicability of	94-17 TCI; 95-12 Toyota.
Individual violations	95-16 Mulhall.
Judicial review	97-1 Midtown Neon Sign; 98-8 Carr.
Knowingly	92-77 TCI; 94-19 Pony Express; 94-31 Smalling.
Specific hazard class transported:	
Combustible Paint	95-16 Mulhall.
Corrosive:	
Wet Battery	94-28 Toyota Motor Sales.
Other	92-77 TCI.
Explosive Fireworks	94-31 Smalling; 98-2 Carr.
Flammable:	
Paint	96-26 Midtown Neon Sign.
Turpentine	95-16 Mulhall.
Radioactive	94-19 Pony Express.
Hearing:	
Failure of party to attend	98-23 Instead Balloon Services.
Informal Conference	94-4 Northwest Aircraft Rental.
Initial Decision:	
What constitutes	92-32 Barnhill.
Interference with crewmembers (See also Passenger Misconduct; Assault).	92-3 Park; 96-6 Ignatov; 97-12 Mayer; 98-11 TWA; 98-12 Stout.
Interlocutory Appeal	89-6 American Airlines; 91-54 Alaska Airlines; 93-37 Airspect; 94-32 Detroit Metropolitan; 98-25 Gotbetter.
Internal FAA Policy &/or Procedures	89-6 American Airlines; 90-12 Continental Airlines; 92-73 Wyatt.
Jurisdiction:	
After initial decision	90-20 Degenhardt; 90-33 Cato; 92-32 Barnhill; 93-28 Strohl.
After Order Assessing Civil Penalty	94-37 Houston; 95-19 Rayner.
After withdrawal of complaint	94-39 Kirola.
\$50,000 Limit	90-12 Continental Airlines.
EAJA cases	92-74 Wendt; 96-22 Woodhouse.
HazMat cases	92-76 Safety Equipment.
NTSB	90-11 Thunderbird Accessories.
Knowledge of concealed weapon (See also Weapons Violation)	89-5 Schultz; 90-20 Degenhardt.
Laches (See Delay in initiating action)	
Mailing Rule, generally	89-7 Zenkner; 90-3 Metz; 90-11 Thunderbird Accessories; 90-39 Hart; 98-20 Koeing.
Overnight express delivery	89-6 American Airlines.
Maintenance (See Aircraft Maintenance)	
Maintenance Instruction	93-36 Valley Air.
Maintenance Manual	90-11 Thunderbird Accessories, 96-25 USAir.
Air carrier maintenance manual	96-3 America West Airlines.
Approved/accepted repairs	96-3 America West Airlines.
Manufacturer's maintenance manual	96-3 America West Airlines; 97-31 Sanford Air; 97-32 Florida Propeller.
Minimum Equipment List (MEL) (See Aircraft Maintenance)	
Mootness, appeal dismissed as moot	92-9 Griffin; 94-17 TCI.

National Aviation Safety Inspection Program (NASIP)	90-16 Rocky Mountain.
National Transportation Safety Board:	
Administrator not bound by NTSB case law	91-12 Terry & Menne; 92-49 Richardson & Shimp; 93-18 Westair Commuter.
Lack of Jurisdiction	90-11 Thunderbird Accessories; 90-17 Wilson; 92-74 Wendt.
Notice of Hearing Receipt	92-31 Eaddy.
Notice of Proposed Civil Penalty:	
Initiates Action	91-9 Continental Airlines.
Signature of agency attorney	93-12 Langton.
Withdrawal of	90-17 Wilson.
Operate, generally	91-12 & 91-31 Terry & Menne; 93-18 Westair Commuter; 96-17 Fenner.
Responsibility of aircraft owner/operator for actions of pilot	96-17 Fenner.
Oral Argument before Administrator on appeal:	
Decision to hold	92-16 Wendt.
Instructions for	92-27 Wendt.
Order Assessing Civil Penalty:	
Appeal from	92-1 Costello; 95-19 Rayner.
Timeliness of request for hearing	95-19 Rayner.
Withdrawal of	89-4 Metz; 90-16 Rocky Mountain; 90-22 USAir; 95-19 Rayner; 97-7 Stalling.
Parachuting	98-3 Fedele.
Parts Manufacturer Approval (PMA)	
Failure to obtain	93-19 Pacific Sky Supply.
Passenger Misconduct	92-3 Park.
Assault/Battery	96-6 Ignatov; 97-12 Mayer; 98-11 TWA.
Interference with a crewmember	96-6 Ignatov; 97-12 Mayer; 98-11 TWA; 98-12 Stout.
Smoking	92-37 Giuffrida.
Stowing carry-on items	97-12 Mayer.
Penalty (See Sanction; Hazardous Materials)	
Person	93-18 Westair Commuter.
Prima Facie Case (See also Proof & Evidence)	95-26 Hereth; 96-3 America West Airlines.
Proof & Evidence (See also Federal Rules of Evidence):	
Affirmative Defense	92-13 Delta Air Lines; 92-72 Giuffrida; 98-6 Continental Airlines.
Burden of Proof	90-26 & 90-43 Waddell; 91-3 Lewis; 91-30 Trujillo; 92-13 Delta Air Lines; 92-72 Giuffrida; 93-29 Sweeney; 97-32 Florida Propeller.
Circumstantial Evidence	90-12, 90-19 & 91-9 Continental Airlines; 93-29 Sweeney; 96-3 America West Airlines; 97-10 Alphin; 97-11 Hampton; 97-32 Florida Propeller; 98-6 Continental Airlines.
Credibility (See Administrative Law Judges; Credibility of Witnesses)	
Criminal standard rejected	91-12 Terry & Menne.
Closing Arguments (See also Final Oral Argument)	94-20 Conquest Helicopters.
Extra-record material	95-26 Hereth; 96-24 Horizon.
Hearsay	92-72 Giuffrida; 97-30 Emery Worldwide Airlines; 98-11 TWA.
Offer of proof	97-32 Florida Propeller.
Preponderance of evidence	90-11 Thunderbird Accessories; 90-12 Continental Airlines; 91-12 & 91-31 Terry & Menne; 92-72 Giuffrida; 97-30 Emery Worldwide Airlines; 97-31 Sanford Air; 97-32 Florida Propeller; 98-3 Fedele; 98-6 Continental Airlines; 98-11 TWA.
Presumption that message on ATC tape is received as transmitted.	91-12 Terry & Menne; 92-49 Richardson & Shimp.
Presumption that a gun is deadly or dangerous	90-26 Waddell; 91-30 Trujillo.
Presumption that owner gave pilot permission	96-17 Fenner.
Prima facie case	95-26 Hereth, 96-3 America West; 98-6 Continental Airlines.
Settlement offer	95-16 Mulhall; 96-25 USAir.
Subsequent remedial measures	96-24 Horizon; 96-25 UAAir.
Substantial evidence	92-72 Giuffrida.
Pro Se Parties:	
Special Considerations	90-11 Thunderbird Accessories; 90-3 Metz; 95-25 Conquest.
Prosecutorial Discretion	89-6 American Airlines; 90-23 Broyles; 90-38 Continental Airlines; 91-41 [Airport Operator]; 92-46 Sutton-Sautter; 92-73 Wyatt; 95-17 Larry's Flying Service.
Administrator does not review Complainant's decision not to bring action-against anyone but respondent.	98-2 Carr.
Reconsideration:	
Denied by ALJ	89-4 & 90-3 Metz.
Granted by ALJ	92-32 Barnhill.
Late request for	97-14 Pacific Aviation; 98-14 Larry's Flying Service.
Petition based on new material	96-23 Kilrain.
Repetitious petitions	96-9 [Airport Operator].
Stay of order pending	90-31 Carroll; 90-32 Continental Airlines.
Redundancy, enhancing safety	97-11 Hampton.
Remand	89-6 American Airlines; 90-16 Rocky Mountain; 90-24 Bayer; 91-51 Hagwood; 91-54 Alaska Airlines; 92-1 Costello; 92-76 Safety Equipment; 94-37 Houston.

Repair Station	90-11 Thunderbird Accessories; 92-10 Flight Unlimited; 94-2 Woodhouse; 97-9 Alphin; 97-10 Alphin; 97-31 Sanford Air; 97-32 Florida Propeller.
Request for Hearing	94-37 Houston; 95-19 Rayner.
Constructive withdrawal of	97-7 Stalling; 98-23 Instead Balloon Services.
Rules of Practice (14 CFR Part 13, Subpart G):	
Applicability of	90-12, 90-18 & 90-19 Continental Airlines; 91-17 KDS Aviation.
Challenges to	90-12, 90-18 & 90-19 Continental Airlines; 90-21 Carroll; 90-37 Northwest Airlines.
Effect of Changes in	90-21 Carroll; 90-22 USAir; 90-38 Continental Airlines.
Initiation of Action	91-9 Continental Airlines.
Runway incursions	92-40 Wendt; 93-18 Westair Commuter.
Sanction:	
Ability to Pay	89-5 Schultz; 90-10 Webb; 91-3 Lewis; 91-38 Esau; 92-10 Flight Unlimited; 92-32 Barnhill; 92-37 & 92-72 Giuffrida; 92-38 Cronberg; 92-46 Sutton-Sautter; 92-51 Koblick; 93-10 Costello; 94-4 Northwest Aircraft Rental; 94-20 Conquest Helicopters; 95-16 Mulhall; 95-17 Larry's Flying Service; 97-8 Pacific Av. d/b/a Inter-Island Helicopters; 97-11 Hampton; 97-16 Mauna Kea; 98-4 Larry's Flying Service; 98-11 TWA.
Agency policy:	
ALJ bound by	90-37 Northwest Airlines; 92-46 Sutton-Sautter; 96-19 [Air Carrier].
Changes after complaint	97-7 & 97-17 Stallings.
Statements of (e.g., FAA Order 2150.3A, Sanction Guidance Table, memoranda pertaining to)	90-19 Continental Airlines; 90-23 Broyles; 90-33 Cato; 90-37 Northwest Airlines; 92-46 Sutton-Sautter; 96-4 South Aero; 96-19 [Air Carrier]; 96-25 USAir.
Compliance Disposition	97-23 Detroit Metropolitan.
Consistency with Precedent	96-6 Ignatov; 96-26 Midtown; 97-30 Emery Worldwide Airlines; 98-12 Stout; 98-18 General Aviation.
But when precedent is based on superceded sanction policy	96-19 [Air Carrier].
Corrective Action	91-18 [Airport Operator]; 91-40 [Airport Operator]; 91-41 [Airport Operator]; 92-5 Delta Air Lines; 93-18 Westair Commuter; 94-28 Toyota; 96-4 South Aero; 96-19 [Air Carrier]; 97-16 Mauna Kea; 97-23 Detroit Metropolitan; 98-6 Continental Airlines; 98-22 Northwest Airlines.
Discovery (See Discovery) Factors to consider	89-5 Schultz; 90-23 Broyles; 90-37 Northwest Airlines; 91-3 Lewis; 91-18 [Airport Operator]; 91-40 [Airport Operator]; 91-41 [Airport Operator]; 92-10 Flight Unlimited; 92-46 Sutton-Sautter; 92-1 Koblick; 94-28 Toyota; 95-11 Horizon; 96-19 [Air Carrier]; 96-26 Midtown; 97-16 Mauna Kea; 98-2 Carr.
First-Time Offenders	89-5 Schultz; 92-5 Delta Air Lines; 92-51 Koblick.
HazMat (See Hazardous Materials)	
Inexperience	92-10 Flight Unlimited.
Installment Payments	95-16 Mulhall; 95-17 Larry's Flying Service.
Maintenance	95-11 Horizon; 96-3 America West Airlines; 97-8 Pacific Av. d/b/a Inter-Island Helicopters; 97-9 Alphin; 97-10 Alphin; 97-1 Hampton; 97-30 Emery Worldwide Airlines.
Maximum	90-10 Webb; 91-53 Koller; 96-19 [Air Carrier].
Minimum (HazMat)	95-16 Mulhall; 96-26 Midtown; 98-2 Carr.
Modified	89-5 Schultz; 90-11 Thunderbird Accessories; 91-38 Esau; 92-10 Flight Unlimited; 92-13 Delta Air Lines; 92-32 Barnhill.
Partial Dismissal of Complaint/Full Sanction (See also Complaint).	94-19 Pony Express; 94-40 Polynesian Airways.
Sanctions in specific cases:	
Unairworthy aircraft	97-8 Pacific Av. d/b/a Inter-Island Helicopters; 97-9 Alphin; 98-18 General Aviation.
Passenger/baggage matching	98-6 Continental Airlines.
Passenger Misconduct	97-12 Mayer; 98-12 Stout.
Person evading screening (See also Screening)	97-20 Werle.
Pilot Deviation	92-8 Watkins.
Test object detection	90-18 and 90-19 Continental Airlines; 96-19 [Air Carrier].
Unauthorized access	90-19 Continental Airlines; 90-37 Northwest Airlines; 94-1 Delta Air Lines; 98-7 LAX.
Weapons violations	90-23 Broyles; 90-33 Cato; 91-3 Lewis; 91-38 Esau; 92-32 Barnhill; 92-46 Sutton-Sautter; 92-51 Koblick; 94-5 Grant; 97-7 and 97-17 Stallings.
Screening of Persons:	
Air carrier failure to detect weapon Sanction	94-44 American Airlines.
Air carrier failure to match bag with passenger	98-6 Continental Airlines.
Entering Sterile Areas	90-24 Bayer; 92-58 Hoedl; 97-20 Werle; 98-20 Koenig.
Sanction for individual evading screening (See also Sanction)	97-20 Werle; 98-20 Koenig.
Security (see Screening of Persons, Standard Security Program, Test Object Detection, Unauthorized Access, Weapons Violations):	
Giving false information about carrying a weapon of explosive on board an aircraft.	98-24 Stevens.
Sealing of Record	97-13 Westair Commuter; 97-28 Continental Airlines.

Separation of Functions	90-12 Continental Airlines; 90-18 Continental Airlines; 90-19 Continental Airlines; 90-21 Carroll; 90-38 Continental Airlines; 93-13 Medel.
Service (See also Mailing Rule; Receipt):	
Of NPCP	90-22 USAir; 97-20 Werle.
Of FNPCP	93-13 Medel.
Receipt of document sent by mail	92-31 Eaddy.
Return of certified mail	97-7 and 97-17 Stallings.
Valid Service	92-18 Bargaen; 98-19 Martin & Jaworski.
Settlement	91-50 and 92-1 Costello; 95-16 Mulhall.
Skydiving	98-3 Fedele.
Smoking	92-37 Giuffrida; 94-18 Luxemburg.
Stale Complaint Rule:	
If NPCP not sent	97-20 Werle.
Standard Security Program (SSP):	
Compliance with	90-12-18 and 90-19 Continental Airlines; 91-33 Delta Air Lines; 91-55 Continental Airlines; 92-13 - 94-1 Delta Air Lines; 96-19 [Air Carrier]; 98-22 Northwest Airlines; 99-1 American.
Checkpoint Security Coordinator	98-22 Northwest Airlines.
Ground Security Coordinator	96-16 Westair Commuter.
Statute of Limitations	97-20 Werle.
Stay of Orders	90-31 Carroll; 90-32 Continental Airlines.
Pending judicial review	95-14 Charter Airlines.
Strict Liability	89-5 Schultz; 90-27 Gabbert; 91-18 [Airport Operator]; 91-40 [Airport Operator]; 91-58 [Airport Operator]; 97-23 Detroit Metropolitan; 98-7 LAX.
Test Object Detection	90-12, 90-18, 90-19, 91-9 & 91-55 Continental Airlines; 92-13 Delta Air Lines; 96-19 [Air Carrier].
Proof of violation	90-18, 90-19 & 91-9 Continental Airlines; 92-13 Delta Air Lines.
Sanction	90-18 & 90-19 Continental Airlines; 96-19 [Air Carrier].
Timeliness (See also Complaint; Filing; Mailing rule; and Appeals):	
Burden to prove date of filing	97-11 Hampton Air; 98-1 V. Taylor.
Of response to NPCP	90-22 USAir.
Of complaint	91-51 Hagwood; 93-13 Medel; 94-7 Hereth.
Of initial decision	97-31 Sanford Air.
Of NPCP	92-73 Wyatt.
Of reply brief	97-11 Hampton.
Of request for hearing	93-12 Langton; 95-19 Rayner.
Of EAJA application (See EAJA-Final disposition, EAJA-Jurisdiction)	
Unapproved parts (See also Parts Manufacturer Approval)	93-19 Pacific Sky Supply.
Unauthorized Access:	
To aircraft	90-12 & 90-19 Continental Airlines; 94-1 Delta Air Lines.
To Air Operations Area (AOA)	90-37 Northwest Airlines; 91-18 [Airport Operator]; 91-40 [Airport Operator]; 91-58 [Airport Operator]; 94-1 Delta Air Lines.
Visual Cues Indicating runway Adequacy of	92-40 Wendt.
Weapons Violations, generally	89-5 Schultz; 90-10 Webb; 90-20 Degenhardt; 90-23 Broyles; 90-33 Cato; 90-26 & 90-43 Waddell; 91-3 Lewis; 91-30 Trujillo; 91-38 Esau; 91-53 Koller; 92-32 Barnhill; 92-46 Sutton-Sautter; 92-51 Koblick; 92-59 Petek-Jackson; 94-5 Grant; 94-44 American Airlines.
Concealed weapon	89-5 Schultz; 92-46 Sutton-Sautter; 92-51 Koblick.
"Deadly or Dangerous"	90-26 & 90-43 Waddell; 91-30 Trujillo; 91-38 Esau.
First-time Offenders	89-5 Schultz.
Intent to commit violation	89-5 Schultz; 90-20 Degenhardt; 90-23 Broyles; 90-26 Waddell; 91-3 Lewis; 91-53 Koller.
Knowledge Of Weapon concealment (See also Knowledge)	89-5 Schultz; 90-20 Degenhardt.
Sanction (See Sanction)	
Weight and Balance	94-40 Polynesian Airways.
Witnesses (See also Credibility):	
Absence of, Failure to subpoena	92-3 Park; 98-2 Carr.
Expert testimony, Evaluation of	93-17 Metcalf; 94-3 Valley Air; 94-21 Sweeney; 96-3 America West Airlines; 96-15 Valley Air; 97-9 Alphin; 97-32 Florida Propeller.
Expert witness fees (See EAJA)	

Regulations (Title 14 CFR, unless otherwise noted)

1.1 (maintenance)	94-38 Bohan; 97-11 Hampton.
1.1 (major repair)	96-3 America West Airlines.
1.1 (minor repair)	96-3 America West Airlines.
1.1 (operate)	91-12 & 91-31 Terry & Menne; 93-18 Westair Commuter; 96-17 Fenner.
1.1 (person)	93-18 Westair Commuter.
1.1 (propeller)	96-15 Valley Air.

13.16	90-16 Rocky Mountain; 90-22 US Air; 90-37 Northwest Airlines; 90-38 & 91-9 Continental Airlines; 91-18 [Airport Operator]; 91-51 Hagwood; 92-1 Costello; 92-46 Sutton-Sautter; 93-13 Medel; 93-28 Strohl; 94-27 Larsen; 94-37 Houston; 94-31 Smalling; 95-19 Rayner; 96-26 Midtown Neon Sign; 97-1 Midtown Neon Sign; 97-9 Alphin; 98-18 General Aviation.
13.201	90-12 Continental Airlines.
13.202	90-6 American Airlines; 92-76 Safety Equipment.
13.203	90-12 Continental Airlines; 90-21 Carroll; 90-38 Continental Airlines.
13.204	
13.205	90-20 Degenhardt; 91-17 KDS Aviation; 91-54 Alaska Airlines; 92-32 Barnhill; 94-32 Detroit Metropolitan; 94-39 Kirola; 95-16 Mulhall; 97-20 Werle.
13.206	
13.207	94-39 Kirola.
13.208	90-21 Carroll; 91-51 Hagwood; 92-73 Wyatt; 92-76 Safety Equipment; 93-13 Medel; 93-28 Strohl; 94-7 Hereth; 97-20 Werle; 98-4 Larry's.
13.209	90-3 Metz; 90-15 Playter; 91-18 [Airport Operator]; 92-32 Barnhill; 92-47 Cornwall; 92-75 Beck; 92-76 Safety Equipment; 94-8 Nunez; 94-5 Grant; 94-22 Harkins; 94-29 Sutton; 94-30 Columna; 95-10 Diamond; 95-28 Atlantic World Airways; 97-7 Stalling; 97-18 Robinson; 97-33 Rawlings; 98-21 Blankson.
13.210	92-19 Cornwall; 92-75 Beck; 92-76 Safety Equipment; 93-7 Dunn; 93-28 Strohl; 94-5 Grant; 94-30 Columna; 95-28 Atlantic World Airways; 96-17 Fenner; 97-11 Hampton; 97-18 Robinson; 97-38 Air St. Thomas; 98-16 Blue ridge Airlines.
13.211	89-6 American Airlines; 89-7 Zenkner; 90-3 Metz; 90-11 Thunderbird Accessories; 90-39 Hart 91-24 Esau; 92-1 Costello; 92-9 Griffin; 92-18 Barga; 92-19 Cornwall; 92-57 Detroit Metro. Wayne County Airport; 92-74 Wendt; 92-76 Safety Equipment; 93-2 Wendt; 94-5 Grant; 94-18 Luxemburg; 94-29 Sutton; 95-12 Toyota; 95-28 Valley Air; 97-7 Stalling; 97-11 Hampton; 98-4 Larry's Flying Service; 98-19 Martin & Jaworski; 98-20 Koenig; 99-2 Oxygen Systems.
13.212	90-11 Thunderbird Accessories; 91-2 Continental Airlines; 99-2 Oxygen Systems.
13.213	
13.214	91-3 Lewis.
13.215	93-28 Strohl; 94-39 Kirola.
13.216	
13.217	91-17 KDS Aviation.
13.218	89-6 American Airlines; 90-11 Thunderbird Accessories; 90-39 Hart; 92-9 Griffin; 92-73 Wyatt; 93-19 Pacific Sky Supply; 94-6 Strohl; 94-27 Larsen; 94-37 Houston; 95-18 Rayner; 96-16 WestAir; 96-24 Horizon; 98-20 Koenig.
13.219	89-6 American Airlines; 91-2 Continental; 91-54 Alaska Airlines; 93-37 Airspect; 94-32 Detroit Metro. Wayne County Airport; 98-25 Gotbetter.
13.220	89-6 American Airlines; 90-20 Carroll; 91-8 Watts Agricultural Aviation; 91-17 KDS Aviation; 91-54 Alaska Airlines; 92-46 Sutton-Sautter.
13.221	92-29 Haggland; 92-31 Eaddy; 92-52 Cullop.
13.222	92-72 Giuffrida; 96-15 Valley Air.
13.223	91-12 & 91-31 Terry & Menne; 92-72 Giuffrida; 95-26 Hereth; 96-15 Valley Air; 97-11 Hampton; 97-31 Sanford Air; 97-32 Florida Propeller; 98-3 Fedele; 98-6 Continental Airlines.
13.224	90-26 Waddell; 91-4 [Airport Operator]; 92-72 Giuffrida; 94-18 Luxemburg; 94-28 Toyota; 95-25 Conquest; 96-17 Fenner; 97-32 Florida Propeller; 98-6 Continental Airlines.
13.225	97-32 Florida Propeller.
13.226	90-21 Carroll; 95-26 Hereth.
13.227	90-21 Carroll, 95-26 Hereth.
13.228	92-3 Park.
13.229	
13.230	92-19 Cornwall; 95-26 Hereth; 96-24 Horizon.
13.231	92-3 Park.
13.232	89-5 Shultz; 90-20 Degenhardt; 92-1 Costello; 92-18 Barga; 92-32 Barnhill; 93-28 Strohl; 94-28 Toyota; 95-12 Toyota; 95-16 Mulhall; 96-6 Ignatov; 98-18 General Aviation.

13.233	89-1 Gressani; 89-4 Metz; 89-5 Schultz; 89-7 Zenkner; 89-8 Thunderbird Accessories; 90-3 Metz; 90-11 Thunderbird Assessories; 90-19 Continental Airlines; 90-20 Degenhardt; 90-25 & 90-27 Gabbert; 90-35 P. Adams; 90-19 Continental Airlines; 90-39 Hart; 91-2 Continental Airlines; 91-3 Lewis; 91-7 Pardue; 91-8 Watts Agricultural Aviation; 91-10 Graham; 91-11 Continental Airlines; 91-12 Bergen; 91-24 Esau; 91-26 Britt Airways; 91-31 Terry & Menne; 91-32 Bergen; 91-43 & 91-44 Delta; 91-45 Park; 91-46 Delta; 91-47 Delta; 91-48 Wendt; 91-52 KDS Aviation; 91-53 Koller; 92-1 Costello; 92-3 Park; 92-7 West; 92-11 Alilin; 92-15 Dillman; 92-16 Wendt; 92-18 Bergen; 92-19 Cornwall; 92-27 Wendt; 92-32 Barnhill; 92-34 Carrell; 92-35 Bay Land Aviation; 92-36 Southwest Airlines; 92-39 Beck; 92-56 Montauk Caribbean Airways; 92-57 Detroit Metro. Wayne Co. Airport; 92-67 USAir; 92-69 McCabe; 92-72 Guiffida; 92-4 Wendt; 92-78 TWA; 93-5 Wendt; 93-6 Westair Commuter; 93-7 Dunn; 93-8 Nunez; 93-19 Pacific Sky Supply; 93-23 Allen; 93-27 Simmons; 93-28 Strohl; 93-31 Allen; 93-32 Nunez; 94-9 B & G Instruments; 94-10 Boyle; 94-12 Bartusiak; 94-15 Columna; 94-18 Luxemburg; 94-23 Perez; 94-24 Page; 94-26 French Aircraft; 94-28 Toyota; 95-2 Meronek; 95-9 Woodhouse; 95-13 Kilrain; 95-23 Atlantic World Airways; 95-25 Conquest; 95-26 Hereth; 96-1 [Airport Operator; 96-2 Skydiving Center; 97-1 Midtown Neon Sign; 97-2 Sanford Air; 97-7 Stalling; 97-22 Sanford Air; 97-24 Gordon Air; 97-31 Sanford Air; 97-33 Rawlings; 97-38 Air St. Thomas; 98-4 Larry's Flying Service; 98-3 Fedele; Continental Airlines 98-6; LAX 98-7; 98-10 Rawlings; 98-15 Squire; 98-18 General Aviation; 98-19 Martin & Jaworski; 98-20 Koenig; 99-2 Oxygen Systems.
13.234	90-19 Continental Airlines; 90-31 Carroll, 90-32 & 90-38 Continental Airlines; 91-4 [Airport Operator]; 95-12 Toyota; 96-9 [Airport Operator]; 96-23 Kilrain.
13.235	90-11 Thunderbird Accessories; 90-12 Continental Airlines; 90-15 Playter; 90-17 Wilson; 92-7 West.
Part 14	92-74 & 93-2 Wendt; 95-18 Pacific Sky Supply.
14.01	91-17 & 92-71 KDS Aviation.
14.04	91-17, 91-52 & 92-71 KDS Aviation; 93-10 Costello; 95-27 Valley Air.
14.05	90-17 Wilson.
14.12	95-27 Valley Air.
14.20	91-52 KDS Aviation; 96-22 Woodhouse.
14.22	93-29 Sweeney.
14.23	98-19 Martin & Jaworski.
14.26	91-52 KDS Aviation; 95-27 Valley Air.
14.28	95-9 Woodhouse.
21.181	96-25 USAir.
21.303	93-19 Pacific Sky Supply; 95-18 Pacific Sky Supply.
25.787	97-30 Emery Worldwide Airlines.
25.855	92-37 Giuffrida; 97-30 Emery Worldwide Airlines.
39.3	92-10 Flight Unlimited; 94-4 Northwest Aircraft Rental.
43.3	92-73 Wyatt; 97-31 Sanford Air; 98-18 General Aviation.
43.5	96-18 Kilrain; 97-31 Sanford Air.
43.9	91-8 Watts Agricultural Aviation; 97-31 Stanford Air; 98-4 Larry's Flying Service.
43.13	90-11 Thunderbird Accessories; 94-3 Valley Air; 94-38 Bohan; 96-3 America West Airlines; 96-25 USAir; 97-9 Alphin; 97-10 Alphin 97-30 Emery Worldwide Airlines; 97-31 Sanford Air; 97-32 Florida Propeller.
43.15	90-25 & 90-27 Gabbert; 91-8 Watts Agricultural Aviation; 94-2 Woodhouse; 96-18 Kilrain.
65.15	92-73 Wyatt.
65.92	92-73 Wyatt.
91.7	97-8 Pacific Av. d/b/a Inter-Island Helicopters; 97-16 Mauna Kea; 98-18 General Aviation.
91.8 (91.11 as of 8/18/90)	92-3 Park.
91.9 (91.13 as of 8/18/90)	90-15 Playter; 91-12 & 91-31 Terry & Menne; 92-8 Watkins; 92-40 Wendt; 92-48 USAir; 92-49 Richardson & Shrimp; 92-47 Cornwall; 92-70 USAir; 93-9 Wendt; 93-17 Metcalf; 93-18 Westair Commuter; 93-29 Sweeney; 94-29 Sutton; 95-26 Hereth; 96-17 Fenner.
91.11	96-6 Ignatov; 97-12 Mayer; 98-12 Stout.
91.29 (91.7 as of 8/18/90)	91-8 Watts Agricultural Aviation; 92-10 Flight Unlimited; 94-4 Northwest Aircraft Rental.
91.65 (91.111 as of 8/18/90)	91-29 Sweeney; 94-21 Sweeney.
91.67 (91.113 as of 8/18/90)	91.29 Sweeney.
91.71	97-11 Hampton.

91.75 (91.123 as of 8/18/90)	91-12 & 91-31 Terry & Menne; 92-8 Watkins; 92-40 Wendt; 92-49 Richardson & Shimp; 93-9 Wendt.
91.79 (91.119 as of 8/18/90)	90-15 Playter; 92-47 Cornwall; 93-17 Metcalf.
91.87 (91.129 as of 8/18/90)	91-12 & 91-31 Terry & Menne; 92-8 Watkins.
91.103	95-26 Hereth.
91.111	96-17 Fenner.
91.113	96-17 Fenner.
91.151	95-26 Hereth.
91.173 (91.417 as of 8/18/90)	91-8 Watts Agricultural Aviation.
91.205	98-18 General Aviation.
91.213	97-11 Hampton.
91.403	97-8 Pacific Av. d/b/a Iter-Island Helicopters; 97-31 Sanford Air.
91.405	97-16 Mauna Kea; 98-4 Larry's Flying Service; 98-18 General Aviation.
91.407	98-4 Larry's Flying Service.
91.417	98-18 General Aviation.
91.517	98-12 Stout.
91.703	94-29 Sutton.
105.29	98-3 Fedele; 98-19 Martin & Jaworski.
107.1	90-19 Continental Airlines; 90-20 Degenhardt; 91-4 [Airport Operator]; 91-58 [Airport Operator]; 98-7 LAX.
107.9	98-7 LAX.
107.13	90-12 & 90-19 Continental Airlines; 91-4 [Airport Operator]; 91-18 [Airport Operator]; 91-40 [Airport Operator]; 91-41 [Airport Operator]; 91-58 [Airport Operator]; 96-1 [Airport Operator]; 97-23 Detroit Metropolitan; 98-7 LAX.
107.20	90-24 Bayer; 92-58 Hoedl; 97-20 Werle; 98-20 Koenig.
107.21	89-5 Schultz; 90-10 Webb; 90-22 Degenhardt; 90-23 Broyles; 90-26 & 90-43 Waddell; 90-33 Cato; 90-39 Hart; 91-3 Lewis; 91-10 Graham; 91-30 Trujillo; 91-38 Esau; 91-53 Koller; 92-32 Barnhill; 92-38 Cronberg; 92-46 Sutton-Sautter; 92-51 Koblick; 92-59 Petek-Jackson; 94-5 Grant; 94-31 Smalling; 97-7 Stalling.
107.25	94-30 Columna.
108.5	90-12, 90-18, 90-19, 91-2 & 91-9 Continental Airlines; 91-33 Delta Air Lines; 91-54 Alaska Airlines; 91-55 Continental Airlines; 92-13 & 94-1 Delta Air Lines; 94-44 American Airlines; 96-16 WestAir; 96-19 [Air Carrier]; 98-22 Northwest Airlines; 99-1 American.
108.7	90-18 & 90-19 Continental Airlines; 99-1 American.
108.9	98-22 Northwest Airlines.
108.10	96-16 WestAir.
108.11	90-23 Broyles; 90-26 Waddell; 91-3 Lewis; 92-46 Sutton-Sautter; 94-44 American Airlines.
108.13	90-12 & 90-19 Continental Airlines; 90-37 Northwest Airlines.
108.18	98-6 Continental Airlines.
121.133	90-18 Continental Airlines.
121.153	92-48 & 92-70 USAir; 95-11 Horizon; 96-3 America West Airlines; 96-24 Horizon; 96-25 USAir; 97-21 Delta; 97-30 Emery Worldwide Airlines.
121.221	97.30 Emery Worldwide Airlines.
121.317	92-37 Giuffrida; 94-18 Luxemburg.
121.318	92-37 Giuffrida.
121.367	90-12 Continental Airlines; 96-25 USAir.
121.571	92-37 Giuffrida.
121.575	98-11 TWA.
121.577	98-11 TWA.
121.589	97-12 Mayer.
121.628	95-11 Horizon; 97-21 Delta; 97-30 Emery Worldwide Airlines.
135.1	95-8 Charter Airlines; 95-25 Conquest.
135.5	94-3 Valley Air; 94-20 Conquest Helicopters; 95-25 Conquest; 95-27 Valley Air; 96-15 Valley Air.
135.25	92-10 Flight Unlimited; 94-3 Valley Air; 95-27 Valley Air; 96-15 Valley Air.
135.63	94-40 Polynesian Airways; 95-17 Larry's Flying Service; 95-28 Atlantic; 96-4 South Aero.
135.87	90-21 Carroll.
135.95	95-17 Larry's Flying Service.
135.179	97-11 Hampton.
135.185	94-40; Polynesian Airways.
135.263	95-9 Charter Airlines; 96-4 South Aero.
135.267	95-8 Charter Airlines; 95-17 Larry's Flying Service; 96-4 South Aero.
135.293	95-17 Larry's Flying Service; 96-4 South Aero.
135.343	95-17 Larry's Flying Service.
135.411	97-11 Hampton.

135.413	94-3 Valley Air; 96-15 Valley Air; 97-8 Pacific Av. D/b/a Inter-Island Helicopters; 97-16 Mauna Kea.
135.421	93-36 Valley Air; 94-3 Valley Air; 96-15 Valley Air.
135.437	94-3 Valley Air; 96-15 Valley Air.
141.101	98-18 General Aviation.
145.1	97-10 Alphin.
145.3	97-10 Alphin.
145.25	97-10 Alphin.
145.45	97-10 Alphin.
145.47	97-10 Alphin.
145.49	97-10 Alphin.
145.53	97-11 Thunderbird Accessories.
145.57	94-2 Woodhouse; 97-9 Alphin; 97-32 Florida Propeller.
145.61	90-11 Thunderbird Accessories.
191	90-12 & 90-19 Continental Airlines; 90-37 Northwest Airlines; 98-6 Continental Airlines.
298.1	92-10 Flight Unlimited.
302.8	90-22 USAir.

49 CFR

1.47	92-76 Safety Equipment.
171 et seq.	95-10 Diamond.
171.2	92-77 TCI; 94-28 Toyota; 94-31 Smalling; 95-16 Mulhall; 96-26 Midtown; 98-2 Carr.
171.8	92-77 TCI.
172.101	92-77 TCI; 94-28 Toyota; 94-31 Smalling; 96-26 Midtown.
172.200	92-77 TCI; 94-28 Toyota; 95-16 Mulhall; 96-26 Midtown; 98-2 Carr.
172.202	92-77 TCI; 94-28 Toyota; 94-31 Smalling; 95-16 Mulhall; 98-2 Carr.
172.203	94-28 Toyota.
172.204	92-77 TCI; 94-28 Toyota; 94-31 Smalling; 95-16 Mulhall; 98-2 Carr.
172.300	94-31 Smalling; 95-16 Mulhall; 96-26 Midtown; 98-2 Carr.
172.301	94-31 Smalling; 95-16 Mulhall; 98-2 Carr.
172.304	92-77 TCI; 94-31 Smalling; 95-16 Mulhall; 98-2 Carr.
172.400	92-77 TCI; 94-28 Toyota; 94-31 Smalling; 95-16 Mulhall; 98-2 Carr.
172.402	94-28 Toyota.
172.406	92-77 TCI.
173.1	92-77 TCI; 94-28 Toyota; 94-31 Smalling; 95-16 Mulhall; 98-2 Carr.
173.3	94-28 Toyota; 94-31 Smalling; 98-2 Carr.
173.6	94-28 Toyota.
173.22(a)	94-28 Toyota; 94-31 Smalling; 98-2 Carr.
173.24	94-28 Toyota; 95-16 Mulhall.
173.25	94-28 Toyota.
173.27	92-77 TCI.
173.62	98-2 Carr.
173.115	92-77 TCI.
173.240	92-77 TCI.
173.243	94-28 Toyota.
173.260	94-28 Toyota.
173.266	94-28 Toyota; 94-31 Smalling.
175.25	94-31 Smalling.
191.5	97-13 Westair Commuter.
191.7	97-13 Westair Commuter.
821.30	92-73 Wyatt.
821.33	90-21 Carroll.

Statutes

5 U.S.C:	
504	90-17 Wilson; 91-17 & 92-71 KDS Aviation; 92-74, 93-2 & 93-9, Wendt; 93-29 Sweeney; 94-17 TCI; 95-27 Valley Air; 96-22 Woodhouse; 98-19 Martin & Jaworski.
552	90-12, 90-18 & 90-19 Continental Airlines; 93-10 Costello.
554	90-18 Continental Airlines; 90-21 Carroll; 95-12 Toyota.
556	90-21 Carroll; 91-54 Alaska Airlines.
557	90-20 Degenhardt; 90-21 Carroll; 90-37 Northwest Airlines; 94-28 Toyota.
705	95-14 Charter Airlines.
5332	95-27 Valley Air.
11 U.S.C:	
362	91-2 Continental Airlines.
28 U.S.C:	

2412	93-10 Costello; 96-22 Woodhouse.
2462	0-21 Carroll.
49 U.S.C:	
5123	95-16 Mulhall; 96-26 & 97-1 Midtown Neon Sign; 98-2 Carr.
40102	96-17 Fenner.
44701	96-6 Ignatov; 96-17 Fenner.
44704	96-3 America West Airlines; 96-15 Valley Air.
46110	96-22 Woodhouse; 97-1 Midtown Neon Sign.
46301	97-1 Midtown Neon Sign; 97-16 Mauna Kea; 97-20 Werle.
46302	98-34 Stevens.
46303	97-7 Stalling.
49 U.S.C App:	
1301(31) (operate)	93-18 Westair Commuter.
(33) (person)	93-18 Westair Commuter.
1356	90-18 & 90-19, 91-2 Continental Airlines.
1357	90-18, 90-19 & 91-2 Continental Airlines 91-41 [Airport Operator]; 91-58 [Airport Operator].
1421	92-10 Flight Unlimited; 92-48 USAir, 92-70 USAir; 93-9 Wendt.
1429	92-73 Wyatt.
1471	89-5 Schultz; 90-10 Webb ; 90-20 Degenhardt ; 90-12, 90-18 & 90-19 Continental Airlines; 90-23 Broyles; 90-26 & 90-43 Waddell; 90-33 Cato; 90-37 Northwest Airlines; 90-39 Hart; 91-2 Continental Airlines; 91-3 Lewis; 91-18 [Airport Operator]; 91-53 Koller; 92-5 Delta Air Lines; 92-10 Flight Unlimited; 92-46 Sutton-Sautter; 92-51 Koblick; 92-74 Wendt ; 92-76 Safety Equipment; 94-20 Conquest Helicopters; 94-40 Polynesian Airways ; 96-6 Ignatov; 97-7 Stalling.
1472	96-6 Ignatov.
1475	90-20 Degenhardt; 90-12 Continental Airlines; 90-18, 90-19 & 91-1 Continental Airlines; 91-3 Lewis; 91-18 [Airport Operator]; 94-40 Polynesian Airways.
1486	90-21 Carroll; 96-22 Woodhouse.
1809	92-77 TCI; 94-19 Pony Express, 94-28 Toyota; 94-31 Smalling; 95-21 Toyota.

Civil Penalty Actions—Orders Issued by the Administrator

Digests

(Current as of June 30, 1999)

The digests of the Administrator's final decisions and orders are arranged by order number, and briefly summarize key points of the decision. The following compilation of digests includes all final decisions and orders issued by the Administrator from April 1, 1999, to June 30, 1999. The FAA will publish the non-cumulative supplements to this compilation on a quarterly basis (e.g., April, July, October, and January of each year).

These digests do not constitute legal authority, and should not be cited or relied upon as such. The digests are not intended to serve as a substitute for proper legal research. Parties, attorneys, and other interested persons should always consult the full text of the Administrator's decisions before citing them in any context.

In the Matter of Clarence L. Justice

Order No. 99-3 (6/11/99)

[DMS No. FAA-1998-4751]

Motion to Dismiss Denied. Good cause was found to excuse the respondent's late-filing (by 8 days) of a notice of appeal from the law judge's order assessing a \$6,600 civil penalty. On

February 4, the law judge ordered respondent to respond to a show cause order and to submit an answer to be received by February 16. On February 4, respondent was released from a residential treatment facility and then moved to another state. He did not receive his mail until after the law judge dismissed the case. Notice of appeal also was sufficiently detailed to constitute an appeal brief. Complainant was ordered to file a reply brief.

Commercial Reporting Services of the Administrator's Civil Penalty Decisions and Orders

1. *Commercial Publications:* The Administrator's decisions and orders in civil penalty cases are available in the following commercial publications:

Civil Penalty Cases Digest Service, published by Hawkins Publishing Company, Inc., P.O. Box 480, Mayo, MD, 21106, (410) 798-1677;

Federal Aviation Decisions, Clark Boardman Callaghan, a subsidiary of West Information Publishing Company, 50 Broad Street East, Rochester, NY 14694, 1-800-221-9428.

2. *CD-ROM.* The Administrator's orders and decisions are available on CD-ROM through Aeroflight Publications, P.O. Box 854, 433 Main Street, Gruver, TX 79040, (806) 733-2483.

3. *On-Line Services.* The Administrator's decisions and orders in civil penalty cases are available through the following on-line services:

- Westlaw (the Database ID is FTRAN-FAA)
- LEXIS [Transportation (TRANS) Library, FAA file.]
- Compuserve
- FedWorld

Docket

The FAA Hearing Docket is located at FAA Headquarters, 800 Independence Avenue, SW, Room 926A, Washington, DC 20591 (tel. No. 202-267-3641.) The clerk of the FAA Hearing Docket is Ms. Stephanie McClain. All documents required to be filed in civil penalty proceedings must be filed with the FAA Hearing Docket Clerk at the FAA Hearing Docket. (See 14 CFR 13.210.) Materials contained in the dockets of any case not containing sensitive security information (protected by 14 CFR Part 191) may be viewed at the FAA Heritage Docket.

In addition, materials filed in the FAA Hearing Docket in non-security cases in which the complaints were filed on or after December 1, 1997, are available for inspection at the Department of Transportation Docket, located at 400 7th Street, SW, Room PL-401, Washington, DC, 20590, (tel. No. 202-366-9329.) While the originals will be

retained in the FAA Hearing Docket, the DOT Docket will scan copies of documents in non-security cases in which the complaint was filed after December 1, 1997, into their computer database. Individuals who have access to the Internet can view the materials in these dockets using the following Internet address: <http://dms.dot.gov>.

FAA Offices

The Administrator's decisions and orders, indexes, and digests are available for public inspection and copying at the following location in FAA headquarters: FAA Hearing Docket, Federal Aviation Administration, 800 Independence Avenue, SW., Room 924A, Washington, DC 20591; (202) 267-3641.

These materials are also available at all FAA regional and center legal offices at the following locations:

Office of the Regional Counsel for the Aeronautical Center (AMC-7), Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73125; (405) 954-3296.

Office of the Regional Counsel for the Alaskan Region (AAL-7), Alaskan Region Headquarters, 222 West 7th Avenue, Anchorage, AL 99513; (907) 271-5269.

Office of the Regional Counsel for the Central Region (ACE-7), Central Regional Headquarters, 601 East 12th Street, Federal Building, Kansas City, MO 64106; (816) 426-5446.

Office of the Regional Counsel for the Eastern Region (AEA-7), Eastern Region Headquarters, JFK International Airport, Federal Building, Jamaica, NY 11430; (718) 553-3285.

Office of the Regional Counsel for the Great Lakes Region (AGL-7), 2300 East Devon Avenue, Suite 419, Des Plaines, IL 60018; (708) 294-7108.

Office of the Regional Counsel for the New England Region (ANE-7), New England Region Headquarters, 12 New England Executive Park, Room 401, Burlington, MA 01803-5299; (617) 238-7050.

Office of the Regional Counsel for the Northwest Mountain Region (ANM-7), Northwest Mountain Region Headquarters, 1601 Lind Avenue, SW, Renton, WA 98055-4056; (425) 227-2007.

Office of the Regional Counsel for the Southern Region (ASO-7), Southern Region Headquarters, 1701 Columbia Avenue, College Park, GA 20227; (404) 305-5200.

Office of the Regional Counsel for the Southwest Region (ASW-7), Southwest Region Headquarters, 2601

Meacham Blvd., Forth Worth, TX 76137-4298; (817) 222-5087.

Office of the Regional Counsel for the Technical Center (ACT-7), Federal Aviation Administration Technical Center, Atlantic City International Airport, Atlantic City, NJ 08405; (609) 485-7087.

Office of the Regional Counsel for the Western-Pacific Region (AWP-7), Western-Pacific Region Headquarters, 15000 Aviation Boulevard, Lawndale, CA 90261; (310) 725-7100.

Issued in Washington, DC, on July 30, 1999.

James S. Dillman,

Assistant Chief Counsel for Litigation.

[FR Doc. 99-20422 Filed 8-6-99; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Availability of Final Supplemental Environmental Impact Statement Including Executive Summary and Extension of Comment Period

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of availability of final supplemental environmental impact statement including executive summary and extension of comment period.

SUMMARY: The Federal Aviation Administration (FAA) is issuing this notice to advise the public of the availability of the Final Supplemental Environmental Impact Statement (FSEIS) including the Executive Summary for Indianapolis International Airport. This Executive Summary is required by Council on Environmental Quality (CEQ) regulations, but was inadvertently omitted from the initial FSEIS. The comment period has been extended to September 7, 1999. The FSEIS concerns the environmental impact of implementing the Air Traffic Noise Abatement Measures described within the FSEIS and the federal funding associated with the land use measures.

POINT OF CONTACT: Mr. George M. Bebbie, Environmental Specialist, AGL-520.E, FAA Great Lakes Region, Air Traffic Division, 2300 East Devon Avenue, Des Plaines, IL 60018, Telephone (847) 294-7832.

SUPPLEMENTARY INFORMATION: A Final Supplemental Environmental Impact Statement (FSEIS) will be available for public review at the following locations:

(1) Federal Aviation Administration, Air Traffic Division Office, 2300 East Devon Avenue, Des Plaines, IL 60018,

(2) Indianapolis Airport Authority, South High School Road, Indianapolis International Airport, Indianapolis, IN, (3) Decatur Township Branch Library, 5301 Kentucky Avenue, Indianapolis, IN 46241,

(4) Marion County Public Library, 40 East St. Clair, Indianapolis, IN 46204, (5) Mooresville Public Library, 220 W. Harrison Street, Mooresville, IN 46158, (6) Plainfield Public Library, 1120 Stafford Road, Plainfield, IN 46208, (7) Wayne Township Branch Library, 198 South Girls School Road, Indianapolis, IN 46214.

Written comments may be addressed to Mr. George M. Bebbie, Environmental Specialist, AGL-520.E, FAA Great Lakes Region, Air Traffic Division, 2300 East Devon Avenue, Des Plaines, IL 60018.

Issued in Des Plaines, Illinois at the above address on August 4, 1999.

Christopher R. Blum,

Manager, Air Traffic Division.

[FR Doc. 99-20424 Filed 8-6-99; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Availability of the Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for Noise Abatement Measures at the Rickenbacker International Airport

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of availability of an environmental assessment (EA) and finding of no significant impact (FONSI).

SUMMARY: The Federal Aviation Administration (FAA) is issuing this notice to advise the public that the FAA Great Lakes Region has approved and signed the EA and FONSI for the permanent implementation of noise abatement measures at the Rickenbacker International Airport. These noise abatement measures decrease the noise of departing aircraft to approximately 100 homes east of the airport while increasing the noise to only one home northeast of the airport. The one impacted home is outside of the 65 DNL noise contour within the 60-65 DNL contour and should not be significantly impacted. However, the airport authority has elected to offer this one homeowner the same mitigation that is offered to homeowners within the 65 DNL contour.

POINT OF CONTACT: Mr. George M. Bebbie, Environmental Specialist, AGL-520.E, FAA Great Lakes Region, Air